

**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D.C. 20548

Phillips  
31137

**FILE:** B-218207.2 **DATE:** May 3, 1985  
**MATTER OF:** J. M. Security Service

**DIGEST:**

GAO will not reopen a protest file closed because more than 7 working days after the contracting agency report was received on the scheduled due date protester had not commented on the report or stated an interest in having the protest decided on the existing record, since the GAO acknowledgment of the protest gave notice that the protest file would be closed in that event and reopening the file would be inconsistent with expeditious consideration of the protest.

J. M. Security Service requests that we reopen the file on its protest under invitation for bids No. N62474-85-B-2493 to consider the protest on the merits.

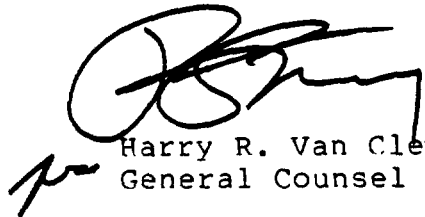
We will not reopen the file.

We closed the file because the report on the protest was received from the contracting agency on the scheduled due date and more than 7 working days later we had not received any communication from J. M. Security Service regarding the protest.

The February 19, 1985, acknowledgment of the protest sent to J. M. Security Service by our Office gave notice to J. M. Security of the date we expected to receive the contracting agency report, that we would assume that it receives the report when we receive ours and that under § 21.3(e) of our Bid Protest Regulations, 4 C.F.R. § 21.3(e) (1985), it had an obligation within 7 working days after the report is received to submit written comments or state that it wants the protest decided on the existing record. J. M. Security Service failed to comply with this obligation. The notice stated that, if we did not hear from J. M. Security Service by the seventh working day, we would close the file.

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Our bid protest procedures provide effective and equitable procedural standards so that parties have a fair opportunity to present their cases and so that protests can be resolved in a reasonably speedy manner. International Development Institute, B-218048.2, Feb. 11, 1985, 85-1 C.P.D. ¶ 179. Our procedures are intended to provide for expeditious consideration of objections to procurement actions without unduly disrupting the government's procurement process. International Development Institute, B-218048.2, supra. Reopening the file on the J. M. Security Service protest at this time would be inconsistent with this purpose.



Harry R. Van Cleve  
General Counsel